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Attorney Docket No. 24948-X

IN THE UNITED STATES' PATENT AND TRADEMARK OFFICE

In re Application of:  
Karl F. POPP

Serial No.: 10/791,862

Group Art Unit: 1614

Filed: March 4, 2004

For: **TOPICAL FORMULATIONS FOR TREATMENT OF ROSACEA**

**TRANSMITTAL LETTER**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

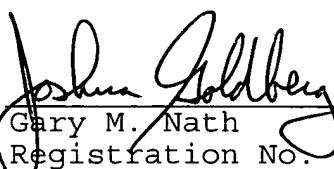
- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 with two (2) references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By:

  
\_\_\_\_\_  
Gary M. Nath  
Registration No. 26,965  
Joshua B. Goldberg  
Registration No. 44,126  
Customer No. 20529

Date: October 1, 2004  
NATH & ASSOCIATES PLLC  
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GMN/JBG/JNR:IDS.Trans

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Carl F. POPP

Serial No.: 10/791,862

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For: TOPICAL FORMULATIONS FOR TREATMENT OF ROSACEA

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[ X ] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:  
 [ ] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or  
 [ ] ii. a check in the amount required by 37 C.F.R. §1.17(p).

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.  
 [ ] Certification report(e) below; and  
 [ ] a check in the amount as required by §1.17(p).

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,  
or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[ X ] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[ X ] g. Copies of the documents are not required by 37 CFR 1.98 and Official Gazette Notice dated Aug. 5, 2003, Vol. 1273, no.1.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

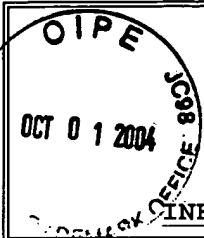
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

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FORM PTO-1449

## INFORMATION DISCLOSURE CITATION

Atty Docket 24948-X	Serial No. 10/791,862
Applicant Karl F. POPP	
Filing Date March 4, 2004	Group Art Unit 1614

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Publish Date	Name	Class	Sub-Class	Filing Date
AA	2004/0156873	Aug. 12, 2004	Gupta			Feb. 10, 2003
AB	2004/0151671	Aug. 5, 2004	Abram, et al.			Jan. 23, 2004
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub-Class	Trans-lation
AL						
AM						
AN						
AO						
AP						

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR						
AS						
AT						

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.  
 Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to Applicant.